

one-half the interest in the sum of \$18.09, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

Upon motion, seconded and carried, the meeting was recessed at 12:30 P. M., subject to call of the Mayor.

Approved: Tom Miller.
Mayor

Attest:

Harris McMillan
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 23, 1939.

The City Council convened in regular session, at the regular meeting place, on Thursday, March 23, 1939, at 10:30 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Chas. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilman C. M. Bartholomew.

The reading of the Minutes was dispensed with.

A petition signed by a number of merchants of the City, asking for stricter regulations governing carnivals, was presented by Emmett Shelton.

After considerable discussion, in which Emmett Shelton, Skinny Pryor, Harry Akin, M. H. Crockett, and others participated, the matter was taken under advisement.

S. H. Green, a representative of the Insurers Indemnity & Insurance Company of Tulsa, Oklahoma, submitted a request for the remission of taxes on bonds of said Company for the year 1938, on the ground that such bonds were taxed by the City of Tulsa for said year and therefore should not be taxable by the City of Austin.

The matter was taken under advisement with the Legal Department.

Mr. Thos. North of the North Plumbing Company, representing the non-union plumbers of the City, submitted a request for representation on the Examining Board of Plumbers. The matter was taken under consideration, and Mr. North was advised that the request would be complied with if possible to do so.

The petition of H. J. Mellin for an extension of the city limits to include certain territory adjacent to Blue Bonnet Lane was received, and the City Attorney was instructed to prepare the proper ordinance for introduction at the next regular meeting.

Councilman Alford introduced the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the

one-half the interest in the sum of \$18.09, off his rolls and to issue to the party entitled to receive same a receipt in full on the payment of said taxes and one-half the interest, as aforesaid.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf; nays, none.

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Approved: Tom Miller.
Mayor

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WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the

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City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in NORTH LOOP BOULEVARD across the west side of Georgetown Road, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said North Loop Boulevard.

The said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in NORTH LOOP BOULEVARD across the east side of Georgetown Road, the centerline of which gas main shall be 20½ feet south of and parallel to the north line of said North Loop Boulevard.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, an application for a grant for the construction of an Incinerator was placed by the City of Austin with the Public Works Administration May 18, 1938; and

WHEREAS, such grant was made by the Public Works Administration August 18, 1938; and

WHEREAS, the agreement in which the grant allotment was made stipulated that the project must be completed not later than seven (7) months after commencement of work thereon; and

WHEREAS, the City of Austin complying with P.W.A. regulations required the contractor to start work on September 5, 1938, but due to the delay in getting organized and securing materials, approximately two weeks time was lost by the contractor; and

WHEREAS, additional delay of about two weeks was caused in preparing and checking detailed drawings for a large amount of mechanical equipment; and

WHEREAS, approximately a ten day delay was caused in resurveying and changing

of lines and grades; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and is hereby authorized to submit an application to Public Works Administration for an extension in time of forty (40) days for completion of the project.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, the City Council of the City of Austin has heretofore passed an ordinance prescribing regulatory measures pertaining to electrical work, and among other things has created an Electrical Board and provided for the appointment of its members, and fixing the duties and powers of said Board, said ordinance providing that the Electrical Board shall consist of seven members including the Electrical Superintendent of the City of Austin, who shall be chairman of the Board, the Chief Electrical Inspector of the City of Austin, three (3) licensed Master Electricians, who are regularly and actively engaged as such, and two (2) registered Journeyman Electricians, who are regularly and actively engaged as such; and

WHEREAS, the City Council has made due investigation as to the qualifications of the following named Master Electricians, to wit: J. H. Brown, W. K. Jennings and A. W. Schmidt, and is of the opinion that said named Master Electricians are qualified to serve on said Board, under the terms of said ordinance; and that A. G. Bailey and W. R. Busbee are qualified Journeyman Electricians and qualified to serve on said Board under the terms of said ordinance; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the following named Master Electricians are appointed to serve as members of said Electrical Board: J. H. Brown, W. K. Jennings and A. W. Schmidt, in accordance with the terms of said ordinance, and the following named Journeyman Electricians, to wit: A. G. Bailey and W. R. Busbee, are appointed as Journeyman Electricians to serve on said Board in accordance with the terms of said ordinance;

BE IT FURTHER RESOLVED that the aforesaid members appointed to serve on said Board shall hold office until their respective successors have been appointed and have qualified, and that all members shall serve on the Board without pay and said Board shall exercise all the authority vested in them by reason of the aforesaid ordinance.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, at the time the bids for the construction of storm sewers and bridges for the City of Austin, being P.W.A. Docket Texas-No.2072-F, were received, the bids did not total as much as the original estimates contained in the grant agreement by the Federal Emergency Administration of Public Works and the City of Austin; and

WHEREAS, there is still available approximately \$85,000.00 in this project; and

WHEREAS, additional improvements under this project are considered essential to the needs of the City of Austin; and

WHEREAS, if at the time of the preparation of the application for this project it had been known that sufficient funds would be available to provide for additional bridge improvements, the same would have been included in the original project; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the City Manager be and he is hereby authorized and directed to prepare the necessary exhibits, cost analysis and supporting papers, together with certified copies of this resolution and submit the same to the Regional office of the Public Works Administration as a basis for a formal request for the inclusion of a new bridge over Shoal Creek north of 12th Street, and the widening of Barton Creek Bridge at Zilker Park, and included in Project Docket No. Texas-2072-F; and

BE IT FURTHER RESOLVED:

THAT the City Council and the City of Austin appreciates the grants-in-aid made to the City of Austin on this, and the many other worthwhile, projects which are and will be for many years enduring evidence of the sound expenditures of public funds by the United States Government through the PWA, and said PWA projects are essential and badly needed and are serving, and will serve, the people of Austin for many years.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING IN THE CERTAIN PARTICULARS HEREINAFTER STATED AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES; AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT, AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Wolf moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the second time and Councilman Wolf moved that the rule be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The ordinance was read the third time and Councilman Wolf moved that the ordinance be finally passed. The motion was seconded by Councilman Gillis, and was carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Mayor declared the ordinance finally passed.

Councilman Wolf introduced the following resolution:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket Texas 1852-F, said Department of Labor

has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket Texas 1852-F; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and sub-contractors on said Docket Texas 1852-F with notice that such scale of wages must be complied with.

"Docket Texas 1852-F
City Incinerator
Austin, Texas

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Steel Fence Erector -	\$ 1.00	\$ 8.00

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, at the time the bids for the construction of the City Incinerator for the City of Austin, being P. W. A. Docket Texas No. 1852-F, were received, the said bids exceeded the estimates upon which the grant agreement by the Federal Emergency Administration of Public Works and the City of Austin was based; and

WHEREAS, it was found desirable at that time to award the contract to the low bidder on the basis of bids submitted, even though the total cost of the work was in excess of the grant agreement upon which the grant was computed; and

WHEREAS, during the progress of the construction it has been found desirable and essential to the adequacy of the completed project that certain changes be made, all such changes being made in accordance with and subject to the approval of the Federal Emergency Administration of Public Works by means of approved change orders; and

WHEREAS, such changes and original contract increases justify an increase in the amount of the grant, and such additional grant is essential to the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

THAT the City Manager be and he is hereby authorized and directed to prepare the necessary exhibits, cost analysis and supporting papers, together with certified copies of this resolution, and submit the same to the Regional Office of the Public Works Administration as a basis for a formal request that the grant on this docket number be increased on the basis of a total project cost of \$168,780.00, as shown in the estimate and cost data which is attached hereto and made a part of this resolution for informational and record purposes; and

BE IT FURTHER RESOLVED:

THAT the City Council and the City of Austin appreciate the grants-in-aid made to the City of Austin on this and the many other worthwhile projects which are and will be for many years enduring evidence of the sound expenditures of public funds by the United States Government through the PWA, and said PWA projects are essential and badly needed and are serving, and will serve, the people of Austin for many years.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf introduced the following resolution:

WHEREAS, the Public Works Administration requires that all projects under its regulations be done in accordance with approved wage scales as published by the Department of Labor of the State of Texas; and

WHEREAS, in the proposed work on Docket Texas-1847-2-F-4, said Department of Labor has furnished the City of Austin with said schedule, but which said schedule did not contain certain classes of labor which will be necessary to be used in the proposed work under Docket Texas-1847-2-F-4; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed to submit such additional schedule to the State Director of Public Works Administration, and provide all contractors and subcontractors on said Docket Texas-1847-2-F-4 with notice that such scale of wages must be complied with.

"Docket Texas 1847-2-f-4
Service Station Improvements
Austin, Texas

SUPPLEMENTARY WAGE SCALE

	<u>Per Hour</u>	<u>Per Day</u>
Steel Fence Erector -	\$ 1.00	\$ 8.00

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was introduced:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is authorized and directed to purchase, for street purposes, in the name of the City of Austin from Mrs. Selma Ulit, for the consideration of \$3131.00 in cash, the following described land:

One and 4/10 (1.4) acres of land out of and a part of the George W. Spear League in the City of Austin, Travis County, Texas, and being all of that certain tract or parcel of land described as containing one (1) acre, more or less, in deed to William Ulit by August Hoeke and wife of date February 1, 1894, recorded in Volume 118 at page 635 of the Deed Records of Travis County, Texas; the title to said land to be approved by the City Attorney.

BE IT FURTHER RESOLVED:

THAT the sum of \$3131.00 is hereby appropriated out of the General Fund to pay for said land above described, and that a warrant issue therefor.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Upon motion, seconded and carried, the meeting was recessed at 1:15 P. M., subject to call of the Mayor.

Approved: _____

Tom Miller
Mayor

Attest:

Halle McKee
City Clerk